

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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JEFFERY COOPER,

Petitioner,

v.

NETHANJAH BREITENBACH, et al.,

Respondents.

Case No. 3:23-cv-00067-RCJ-CSD

ORDER

Petitioner has submitted a *pro se* petition for writ of habeas corpus. (ECF No. 1-1.) He has submitted an application to proceed *in forma pauperis* but has failed to include the required financial certificate or inmate account statements. Accordingly, this matter has not been properly commenced. 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2.

This action therefore is subject to dismissal without prejudice as improperly commenced. However, it appears from the papers presented that a dismissal without prejudice might materially affect a later analysis of any timeliness issue with regard to a new action.

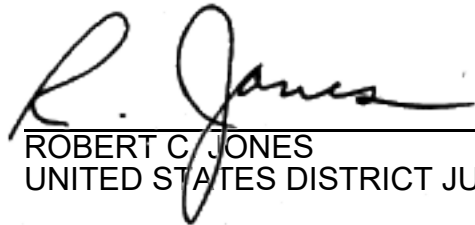
Accordingly, petitioner has 30 days to either (1) pay the \$5.00 filing fee or (2) submit a fully completed application to proceed *in forma pauperis*, with the financial certificate completed and signed by an authorized officer and an inmate account statement for the past six months. Failure to do so may result in the dismissal of this action without prejudice.

1 **IT IS THEREFORE ORDERED** that within **30 days** of the date of this order
2 petitioner must either pay the \$5.00 filing fee or submit a completed application to
3 proceed *in forma pauperis* with financial certificate and his inmate account statement for
4 the past six months.

5 **IT IS FURTHER ORDERED** that if petitioner fails to comply with this order, this
6 action may be dismissed without prejudice.

7 **IT IS FURTHER ORDERED** that the Clerk of Court **SEND** to petitioner one copy
8 of the application to proceed *in forma pauperis* for incarcerated persons, with
9 instructions.

10 DATED: 7 March 2023.

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15 ROBERT C. JONES
16 UNITED STATES DISTRICT JUDGE
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